

In the Matter of )  
 )  
Improving Public Safety Communications in )WT Docket No. 02-55  
the 800 MHz Band )

The City of Norfolk, Virginia ("Norfolk") submits these comments in support of the Petition of the City of Virginia Beach, Virginia for Waiver of the June 26, 2008, Program Completion Date for rebanding the City's 800 MHz channels ("Virginia Beach Petition") and in support of an extension of time for the City of Norfolk rebanding effort. The Virginia Beach Petition was filed in the above referenced docket on July 2, 2007.

Norfolk is authorized by the Federal Communications Commission ("Commission") under Part 90 of the of the Commission's Rules to operate 800 MHz public safety and public service radio systems and subscriber radios under call signs WNLT925 and WPVL422, which are scheduled to be reconfigured under an 800 MHz rebanding Wave 1, Phase 2 Frequency Reconfiguration Agreement. These systems include; a 15 channel, 2 site trunked simulcast system configured with a primary and back up site and a 5 channel, single site conventional NPSPAC repeater system.

<sup>1</sup> These jurisdictions include cities of Virginia Beach, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Suffolk and the counties of York County and James City, Virginia.

jurisdictions, the Transition Administrator and Sprint Nextel to identify a regional coordination process by which HRR jurisdictions can accomplish the rebanding of 800 MHz public safety radio systems without sacrificing the high degree of interoperability that is so essential for this region. The HRR licensees, the Transition Administrator, and Sprint Nextel all agree that a coordinated, regional approach represents the only safe and cost-effective way to reband the HRR's public safety radio systems. These parties all have worked together to formalize that approach in and through the jurisdictions' individual Planning Funding Agreements and Frequency Reconfiguration Agreements as well as in mutually achieved regional coordination contracts.

Norfolk has executed a FRA with Sprint Nextel for reconfiguration of its 800 MHz systems and is working closely with the surrounding HRR licensees on the planning required to ensure the continuation of their interoperable communications environment. . This complex regional planning and coordination effort indicates that, in order to retain the current levels of interoperability in this region, the reconfiguration efforts of all the HRR licensees will extend well past the June 2008 deadline set by the FCC and the 800 MHz Transition Administrator. Norfolk, therefore, supports the Virginia Beach Petition to extend the completion date for Virginia Beach and all other HRR jurisdictions.

### **COMMENTS IN SUPPORT OF VIRGINIA BEACH PETITION**

The Virginia Beach Petition sought a waiver of the June 26, 2008, deadline for completion of reconfiguration by licensees that must reband pursuant to 47 C.F.R. § 90.677 and the Commission's Orders in this proceeding. The Virginia Beach petition asked that the Commission establish a revised Completion Date of July 1, 2009 for 800 MHz systems operated by Virginia Beach but also urged the Commission to exercise its authority to act on its own motion and establish December 31, 2009, as the Completion Date for all eight (8) licensees in the Hampton Roads Region in an effort to prevent the need for multiple waiver requests.

Norfolk supports the Virginia Beach Petition and agrees with its request that the Commission should grant all HRR jurisdictions until December 31, 2009, to complete their rebanding activities until a more accurate date for completion can be determined through the regional coordination process established within this region. The preliminary regional rebanding schedule that was the basis for the Virginia Beach Petition includes the rebanding activities of all eight (8) jurisdictions within the Hampton Roads Region, including Norfolk. As explained in the Virginia Beach Petition, the HRR regional schedule is dependent upon the planning and reconfiguration activities of all eight (8) HRR jurisdictions. Each entity involved in the regional effort must negotiate and execute separate agreements with Sprint Nextel and the Transition Administrator as well as equipment and service vendors and consultants to responsibly plan and ultimately reconfigure their specific systems. These steps not only cause each entity to move through the process at different paces depending upon the size and complexity of their systems, but they also impact the schedule of activities for the other HRR jurisdictions, which must be carefully coordinated in order to maintain regional interoperability during the rebanding effort. As a result, the HRR regional schedule is subject to change depending on the total amount of time required for all of the entities to negotiate and execute the numerous agreements, as well as other schedule delaying factors that are completely outside the control of each individual HRR jurisdiction,

including Norfolk. The FCC's extension of the Program Completion Date for all HRR jurisdictions to December 31, 2009, will allow these jurisdictions to continue with the necessary regional planning and coordination efforts, thus maintaining their critical interoperable Public Safety communications capabilities.

Respectfully Submitted

**CITY OF NORFOLK**

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 25<sup>th</sup> day of September, 2007, a true copy of the foregoing was served electronically upon:

David Furth, Associate Bureau Chief, Public Safety and  
Homeland Security Bureau, Federal Communication Commission, at  
David.Furthfcc.gov

Transition Administrator, LLC, at  
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